

UNITED STATES DISTRICT COURT

for the

District of

SOUTH DAKOTA

Division

Jason Ray Clark

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Zach and Sara Carter

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

) Case No. 23-cv-5057
(to be filled in by the Clerk's Office)

) Jury Trial: (check one) Yes No

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

Jason Ray Clark
7236 S. Ireland Circle
Centennial Arapahoe
CO 80016
720.255.5711
jason@clarkbrothersinvestments.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name _____
 Job or Title (*if known*) _____
 Street Address _____
 City and County _____
 State and Zip Code _____
 Telephone Number _____
 E-mail Address (*if known*) _____

Zach Carter

Rancher

20242 US Hwy 85

Spearfish Lawrence

SD 57783

605.645.4776

Speardog986@gmail.com

Defendant No. 2

Name _____
 Job or Title (*if known*) _____
 Street Address _____
 City and County _____
 State and Zip Code _____
 Telephone Number _____
 E-mail Address (*if known*) _____

Sara Carter

Home Maker

20242 US Hwy 85

Spearfish Lawrence

SD 57783

605.645.4776

speardog986@gmail.com

Defendant No. 3

Name _____
 Job or Title (*if known*) _____
 Street Address _____
 City and County _____
 State and Zip Code _____
 Telephone Number _____
 E-mail Address (*if known*) _____

Defendant No. 4

Name _____
 Job or Title (*if known*) _____
 Street Address _____
 City and County _____
 State and Zip Code _____
 Telephone Number _____
 E-mail Address (*if known*) _____

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

Federal question Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) Jason Ray Clark, is a citizen of the State of (name) Colorado.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) Zach and Sara Carter, is a citizen of the State of (name) South Dakota. Or is a citizen of (foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.
Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

\$50,000,000. SEE Attached.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

SEE Attached.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

\$50,000,000. SEE Attached.

V. Certification and Closing

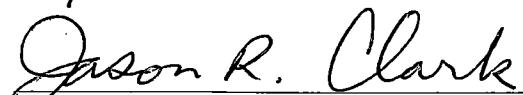
Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

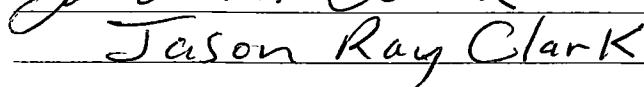
I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 8/15/2023

Signature of Plaintiff



Printed Name of Plaintiff



B. For Attorneys

Date of signing: _____

Signature of Attorney



Printed Name of Attorney



Bar Number



Name of Law Firm



Street Address



State and Zip Code



Telephone Number



E-mail Address



III. Statement of Claim. Defamation of Character by Zach & Sara Carter, citizens of the State of South Dakota, USA against Jason Ray Clark/Clark Brothers, Inc. dba Clark Brothers Investments/CBI.

On April 2, 2021, Charles Schwab & Co., Inc. removed Jason Ray Clark/CBI, a Registered Investment Advisor for Clark Brothers, Inc. dba Clark Brothers Investments, from the Schwab Investment Advisor platform because Schwab along with The Colorado Division of Securities and The Securities Exchange Commission “thought” Jason Ray Clark was “wiring money, writing checks, and dispersing monies FROM CUSTOMER ACCOUNTS.” The above false and defamatory statements were all started by the false, malicious, intentional misleading testimony of Zach and Sara Carter. None of the allegations against Jason Ray Clark/CBI turned out to be true. **FINDING OF FACT** FINRA Arbitration case #21-02439 09/22-23/2022 between Clark Brothers Investments v. Charles Schwab & Co., Inc. AND The Colorado Division of Securities v. Clark Brothers, Inc. dba Clark Brothers Investments and Jason Ray Clark case # XY 2022-0001 06/27-28/2023. Furthermore, this could not have occurred because Schwab’s own Power of Attorney only authorized Jason Ray Clark to make trades and deduct fees from customer accounts. Jason Clark/CBI have never had, and still do not have, any move money authority on any customer accounts. Zach Carter (and Sara Carter) knew this, signed this same Schwab LPOA, and testified to this **FINDING OF FACT** at the CDS Trial to revoke the securities licenses of Jason R. Clark and CBI dated July 5, 2023, over zoom. This singular false and defamatory accusation (and many other false and defamatory allegations including unauthorized trading, misleading and unethical behavior, and failure to keep informed) by Zach and Sara Carter as well as Schwab, CDS, and SEC caused a cataclysmic series of events that led to the virtual irreparable destruction of Jason Ray Clark’s business, clientele, and reputation. The culmination of which is the illegal, unfair, unreasonable, and completely unnecessary “proposed” revoking of the securities licenses of both Jason R. Clark and CBI in the State of Colorado. Prior to this bogus initial ruling by the CDS Jason R. Clark sued all the parties at guilt (case #1:23-cv-00191-CNS-SKC). These illegal actions and false and defamatory statements in written emails, voiced over the telephone to CDS, and told in deposition in administrative court in the state of Colorado by Zach Carter towards Jason Ray Clark are egregious, dishonest, unethical, illegal, and defamatory. These careless, negligent, and thus, defamatory actions by Zach Carter will never go away as these actions regardless of the outcome will always be

required disclosure on Jason Ray Clark's personal RIA FINRA license AND Clark Brothers, Inc. dba Clark Brothers Investments Financial Industry Regulatory Authority (FINRA) license.

IV. Relief. Monetary relief justification for Federal District Court state of South Dakota. Jason Ray Clark/CBI lost \$10,000,000 Assets Under Management due to Zach and Sara Carters (and other defendants in this case) egregious, negligent, malicious, and defamatory actions, remarks, and testimony. At 1% industry standard Asset Under Management fee and 20% annual returns = \$81,922,331 total revenue lost by Jason Ray Clark over business life cycle plus CBI business value lost at 3.5X revenue valuation (industry standard) = \$286,728,158. Total damages to Jason Ray Clark/CBI = \$368,650,490 X 3 Treble damages = \$1,110,595,147 X 20% Taxes = \$1,332,714,176. Apportioning blame amongst defendants equals a sum in the amount of \$50,000,000 for Zach and Sara Carter. Thus, the amount requested in relief from this court is \$50,000,000.

Clark Brothers Investments
19580 Victorian Drive
#306
Parker, CO 80138

PHOENIX AZ 852

16 AUG 2023 PM 9 L



US District Court, South Dakota
225 South Pierre Street
Pierre, SD 57501

57501-246399

